

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:08CV142-03-MU

DUDLEY LEVON SKIPPER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<u>O R D E R</u>
	)	
RAYMOND HAMRICK, et. al.,	)	
	)	
Defendants.	)	
_____	)	

THIS MATTER comes before the Court on Plaintiff's Motion for Reconsideration, filed April 21, 2008.

On April 9, 2008, Plaintiff filed a Complaint under 42 U.S.C. § 1983 and a motion for the appointment of counsel. After a careful review of the Complaint, however, the undersigned determined that all but one of the matters about which Plaintiff was complaining already had been raised in a § 1983 Complaint which then was pending before this Court; and that the remaining allegation -- that his footwear allotment was inadequate and substandard -- failed to state a claim for relief. Thus, by an Order filed April 14, 2008, Plaintiff's Complaint was dismissed and his request for counsel was rejected as moot.

Now, Plaintiff is seeking reinstatement of his claim and the appointment of counsel. However, the instant Motion merely rehashes the claims which were dismissed as duplicitous. Thus, because nothing in Plaintiff's Motion even attempts to establish

that the subject claims were not identical to the claims raised in his other case, this Motion for Reconsideration must be **DENIED**.

**SO ORDERED.**

Signed: May 2, 2008

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

